

Jinnah and democracy

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AMONG the foremost Indian participants in the final phase of the struggle for freedom in India, Jinnah was indisputably the most fervent believer in a constitutional approach. The origin of his belief in constitutionalism may be traced back to his early political training and background.

For one thing, law was his first passion in life. For another, while still a student in England (1892-96), he, like most colonial students of the time, came under the mesmeric spell of nineteenth century British liberalism; its exponents and leaders won his admiration, its principles his loyalty, and its institutions his life-long commitment.

By this commitment Jinnah would stand unwaveringly and squarely — to the end of his life. Indeed, among the Indian leaders who worked for the dissolution of what was till 1947 the British Indian Empire, few were as democracy-oriented as Jinnah. And when he decided on a career in politics, this commitment, along with his penchant for law, inexorably led him to electoral (and parliamentary) politics and to joining the only political party at the time — the Indian National Congress. The Congress itself was committed to internal democracy, which it practised scrupulously, democratic politics and constitutionalism at that juncture.

A person who opposed (and even condemned) direct action and extra-legal but extremely paying methods in terms of political dividends, who stood steadfastly by the rules of the constitutional politics, who climbed the rungs of the leadership

the basis of a universally accepted democratic principle — the right of self-determination — which any sizable and influential minority or sub-national group within a larger geographic context, but demographically dominant in some specified areas, could invoke to rid itself of the domination of a permanent, hostile majority. And before invoking this principle, Jinnah had successfully argued the case of separate Muslim nationhood in terms of the distinguishing traits, both at the macro and micro levels, that transform an aggregate of population into a nation, as adumbrated by Lord Bryce, and by Ernest Renan in his essay on 'Nationality'.

For another, Pakistan was sought to be established, not through a British fiat or Hindu concession, but through the democratic process of ascertaining the wishes of the Muslims. "We want the verdict of the electorate, such as it is constituted, of Muslims, whether they want Pakistan or whether they want to live here as an abject minority under the Hindu Raj", declared Jinnah on October 18, 1945, during the critical 1945-46

He believed that "no man should lose his liberty or be deprived of his liberty without a judicial trial in accordance with the accepted rule of evidence and procedure". He stood for extending powers to the judiciary instead of to the administration, and for a separation between these two pillars of the state.

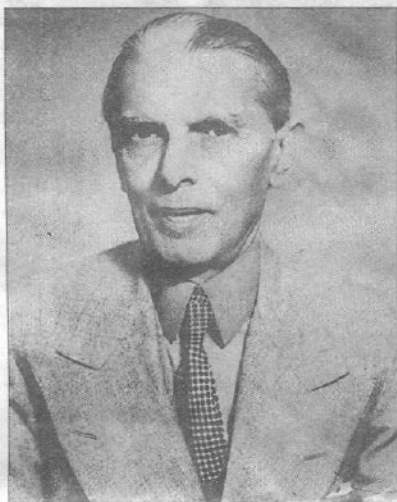
Though he was the founder and head of state of Pakistan, Jinnah refused to forestall the shape of the new state's constitution by giving an outline of it himself.

He was, however, confident that "it will be of a democratic type, embodying the essential principles of Islam".

In order to get to the innermost recesses of Jinnah's thought, this must be read with his unequivocal declaration that removes any cobwebs of misinterpretation that might be sought to be woven around his reference to Islamic principles. He cautioned, "In any case, Pakistan is not going to be a theocratic state — to be ruled by priests with a divine mission. We have many non-Muslims — Hindus, Christians, and Parsis — but they are all Pakistanis.

They will enjoy the same rights and privileges as any other citizen and will play their rightful role in the affairs of Pakistan."

This Jinnah said in his broadcast to the people of the United States in late February 1948. Likewise, in his broadcast talk to the people of Australia on February 19, 1948, he had said: "Pakistan is not a theocracy or anything like it. Islam demands from us the tolerance of other creeds..." This he had emphasized time and again, beginning with his August 11, 1947, address to the Constituent Assembly. Therein, he had declared that



onal politics, who climbed the rungs of the leadership ladder through elections — whether at the party or at the national level — such a person could not have possibly opted for any other path in an age of revolutionary thoughts, ideas and activity, demagoguery and emotional slogan-mongering. He would perhaps have succumbed to the lure of radicalism had he not been deeply imbued with an abiding faith in democracy — its *raison d'être*, approach, methods, and as a way of life. Interestingly, his faith in democracy went beyond mere commitment.

Since democracy and electoral politics are entwined, his rise and role as a parliamentarian represent, as it were, the extent of his commitment to democratic norms and principles. He was indeed a great parliamentarian, one of the greatest of his times. For some thirty years during 1910-47 he was a member of the imperial council and its successor, the legislative assembly of India, and fought for India's liberation from the parliamentary platform, rather than on the streets, striving all the time to corner the British in their own game and under their own rules. According to Stanley Wolpert, he had also made the greatest contribution to parliamentary democracy in undivided India.

All through his political career, he stood for consensual politics. This had led him, for instance, to negotiate the Congress-League, Lucknow Pact in 1916, draw up the Delhi Muslim Proposals in 1927, and formulate the famous Fourteen Points in 1929. Although the Lahore resolution was passed on March 23, 1940, he did not make it the supreme goal of the Muslim League and of Muslim India till a year later when he found that the Muslims "were anxious for the declaration of the ideal embodied in the Lahore resolution". He waited until he realized that the resolution represented the yearning and aspirations of Muslim India. "What I have done is to declare boldly what was stirring the heart of Muslim India", he told the Aligarh students on March 10, 1941.

Pakistan itself was conceived, justified, fought for, and spelled out in democratic terms. For one thing, it was demanded on

elections which were to decide the fate of the Pakistan demand.

Earlier, on October 10, 1945, he had affirmed that "if the Muslims' verdict is against Pakistan I will stand down". That means that he stood by the electoral process as the court of last resort, as the litmus test, all the way, even at the height of his political career as Muslim India's sole spokesman.

As a corollary to his faith in the parliamentary process, Jinnah strongly believed in the sanctity of the vote, and always exhorted the people to exercise their right to vote the way they liked, but with caution and on the basis of principles they believed in. During the 1945-46 elections he said, "Your votes in favour of the Muslim League candidates are not for ... individuals but... for Pakistan".

But even in those elections he spurned offers of opponents to withdraw for a consideration. When, for instance, Abdur Rahman Siddiqui brought in an offer from Hasan Ispahani's opponent in Calcutta to withdraw on payment of his deposit money of Rs. 250, Jinnah retorted angrily: "Pay money? Indirectly bribe a candidate to withdraw? No, never. Tell him at once that his offer is rejected. Hasan will fight him."

Likewise, during the crucial Sindh elections in December 1946, when he was approached for sanctioning a further sum of Rs. 50,000 for the campaign, Jinnah told G. Allana "in a firm tone": "But remember one thing. I don't want you to pay a single rupee to any voter as bribe to vote for us... I prefer defeat to winning election by adopting dishonest and corrupt means".

Jinnah believed in the supremacy of law and condemned any abridgment of constitutional and civic rights. In raising his voice against such abridgment, he made no difference between a friend and a foe, between one community and another. For instance, he protested against the internment of Annie Besant (1917) and the Ali Brothers (1914), the detention without trial of Sarat Chandra Bose (1935) and Vithalbhai Patel (1931), and the promulgation of the Rowlatt Bill (1919).

Therein, he had declared that "everyone ... no matter what his colour, caste or creed, is first, second and last a citizen of this state with equal rights, privileges and obligations... We are all citizens and equal citizens of one state." (In the context of this edict, the Musharraf regime's reversion to joint electorate, in place of separate electorates imposed by Ziaul Haq through a fiat, is a step in the right direction.)

Finally, it augurs well for Pakistan that its rulers, whether civilian or military, whether out of a genuine commitment or for merely window-dressing, swear by democracy. But democracy is like a sapling that must be nursed and nourished till it puts down roots in the soil, and the choice for democracy gets rooted in the consciousness of the people. That it has, by and large, is evident from the penchant for elections among the people.

What has been sadly lacking, though, is that the leaders have proved themselves unamenable to democratic norms and principles. Otherwise, Pakistan today would not have presented the anti-democratic spectre of two major parties one headed by a permanent life-chairperson and the other by a *de facto* life-president.

Unless these parties are prepared to subject themselves to genuine internal democracy, the prospect of a vibrant democratic Pakistan will remain a distant dream. Cosmetic elections within these parties, if only to meet the electoral requirement, does not bode well for a democratic destiny for Pakistan either. Which means, the dire need is that merely swearing by democracy by those at the apex of the political pyramid would not do. Political parties must exorcise the personal cult syndrome, and should restructure themselves in terms of their hierarchy, leadership and approach in accordance with established democratic rules and practices.

After all, if charity should begin at home, democratic reform must necessarily begin at the top.

The writer was founder-director of the Quaid-i-Azam Academy, and authored "Jinnah: Studies in Interpretation" (1981).